



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Castell *et al.* )  
)  
Application No.: 09/970,443 ) Art Unit:  
) 3736  
Filing Date: 10/02/2001 )  
) Examiner:  
Title: A PHARYNGOESOPHAGEAL ) Not Yet Accorded  
MONITORING SYSTEM )  
)  
Our File No: 18596-004 )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

RECEIVED  
JUN 25 2002  
TECHNOLOGY CENTER R3700

To: Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

The applicants hereby submit this Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98 and respectfully request the Examiner to consider the information disclosed in the references listed below:

These citations may be material to the examination of the subject application and are therefore submitted in compliance with a duty of disclosure defined in 37 C.F.R. §§ 1.56, 1.97 and 1.98.

**CITATIONS**

<u>Patent No.</u>	<u>Date Issued</u>	<u>Inventors</u>
5,479,935	January 2, 1996	Essen-Moller
5,117,827	June 2, 1992	Stuebe <i>et al.</i>
5,109,870	May 5, 1992	Silny <i>et al.</i>

**ARTICLES**

Bell, R.C.W.; Hanna, P.; Powers, B.; Sabel, J.; Hruza, D., "Clinical and manometric results of laparoscopic partial (Toupet) and complete (Rosetti-Nissen) fundoplication", *Surgical Endoscopy*, Vol. 10, pp 724-728, 1996.

Silny, J.; Knigge, K.P.; Fass, J.; Rau, G.; Matern, S.; and Schumpelick, V., "Verification of the intraluminal multiple electrical impedance measurement for the recording of gastrointestinal motility", *Journal of Gastrointestinal Motility*, Volume 5, Number 2, pp 107-122, June 1993.

Skopnik, H.; Silny, J.; Heiber, O.; Rau, G.; Heimann, G., "Gastroesophageal Reflux (GER) in Infants: Evaluation of a Combined pH- and Impedance-Technique", Abstract of the 26<sup>th</sup> Annual Meeting of the European Society of Pediatric Gastroenterology and Nutrition, Gothenberg, Sweden, June 27-30, 1993.

Silny, Jiri; "Intraluminal Multiple Electric Impedance Procedure for Measurement of Gastrointestinal Motility", *Journal of Gastrointestinal Motility*, Vol. 3, No. 3, pp 151-162, September 1991.

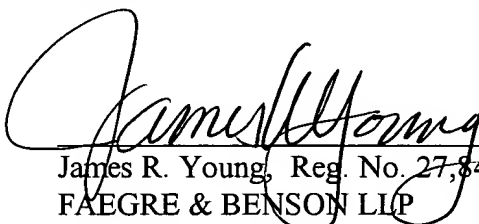
Silny, J.; Fass, J.; Thon, H.J.; Rau, G.; Schumpelick, V.; and Matern, S.; "High Resolution Measurements of Gastrointestinal Motility", Abstract of 9th World Congresses of Gastroenterology, Sydney, Australia 16-31 August 1990.

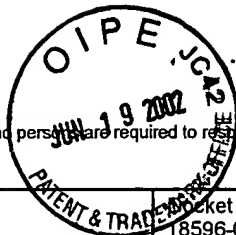
FaB, J.; Silny, J.; Braun, J.; Heindrichs, U.; Dreuw, B.; Schumpelick, V.; and Rau, G.; "A New Method for Evaluation of Esophageal Motility by Multiple Impedance Measurement", Chirugisches Forum 1989, Springer-Verlag Berlin Heidelberg 1989.

One (1) page of Form PTO-1449 and copies of all the above-cited references are enclosed for the Examiner's convenience. This Information Disclosure Statement Under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed that no other material information as defined in 37 C.F.R. § 1.56(a) exists, or that these citations constitute prior art under 35 U.S.C. § 102.

Respectfully submitted,

6/13/02  
Date

  
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<b>37 CFR 1.501</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN A PATENT APPLICATION</b> (Use several sheets if necessary)										Bracket Number (Optional) 18596-003					Application Number 09/970,443									
										Applicant Castell <i>et al.</i>														
										Filing Date October 2, 2001					Group Art Unit 3736									
<b>U. S. PATENT DOCUMENTS</b>																								
EXAMINER INITIAL		DOCUMENT NUMBER							DATE		NAME				CLASS		SUBCLASS		FILING DATE IF APPROPRIATE					
		5 4 7 9 9 3 5							1/96		Essen-Moller				128		734							
		5 1 1 7 8 2 7							6/92		Stuebe <i>et al.</i>				128		635							
		5 1 0 9 8 7 0							5/92		Silny <i>et al.</i>				128		780							
<b>FOREIGN PATENT DOCUMENTS</b>																								
		DOCUMENT NUMBER							DATE		COUNTRY				CLASS		SUBCLASS		Translation YES					
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>																								
		Bell, R.C.W.; Hanna, P.; Powers, B.; Sabel, J.; Hruza, D., "Clinical and manometric results of laparoscopic partial (Toupet) and complete (Rosetti-Nissen) fundoplication", <i>Surgical Endoscopy</i> , Volume 10, pp 724-728, 1996.																						
		Silny, J.; Knigge, K.P.; Fass, J.; Rau, G.; Matern, S.; and Schumpelick, V., "Verification of the intraluminal multiple electrical impedance measurement for the recording of gastrointestinal motility", <i>Journal of Gastrointestinal Motility</i> , Volume 5, No. 2, pp 107-122, June 1993.																						
		Shopnik, H.; Silny, J.; Heiber, O.; Rau, G.; Heimann, G., "Gastroesophageal Reflux (GER) in Infants: Evaluation of a Combined pH- and Impedance-Technique", Abstract of the 26 <sup>th</sup> Annual Meeting of the European Society of Pediatric Gastroenterology and Nutrition, Gothenberg, Sweden, June 27-30, 1993.																						
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		Silny, J.; Fass, J.; Thon, H.J.; Rau, G.; Schumpelick, V.; and Matern, S.; "High Resolution Measurements of Gastrointestinal Motility", Abstract of 9 <sup>th</sup> World Congresses of Gastroenterology, 16-31 August 1990.																						
		Faß, J.; Silny, J.; Braun, J.; Heindrichs, U.; Dreuw, B.; Schumpelick, V.; and Rau, G., "A New Method for Evaluation of Esophageal motility by Multiple Impedance Measurement", <i>Chirurgisches Forum</i> 1989, Springer-Verlag Berlin Heidelberg, 1989.																						
EXAMINER										DATE CONSIDERED														

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/970,443
Filing Date	October 2, 2001
First Named Inventor	Castell et al.
Group Art Unit	3736
Examiner Name	No yet assigned
Attorney Docket Number	18596-004

Total Number of Pages in This Submission

4

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Supplemental Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

Enclosed:

1. Supplemental Information Disclosure Statement w/PTO/SB/42 (3 sheets); and
2. Copies of prior art
  - a. Patents (3)
  - b. Articles (6)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

James R. Young, Reg. No. 27,847

Signature

Date

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: \_\_\_\_\_

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James R. Young

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